

hours, through the Chief, Criminal Law Branch of the Office of Staff Judge Advocate and after duty hours from the Duty Judge Advocate, before searching.

(2) The owner or operator is present. This situation can occur during either a traffic or criminal incident, or if the operator is apprehended for a crime or serious traffic violation and sufficient probable cause exists to seize the vehicle. This situation could also arise during cases of intoxicated driving or traffic accidents in which the operator is present but incapacitated or otherwise unable to make adequate arrangements to safeguard the vehicle. If danger exists to the Military Police or public or if there is risk of loss or destruction of evidence, an investigative type search of the vehicle may be conducted without search authority.

(f) *Disposition of vehicles after impoundment.* (1) If a privately owned vehicle is impounded for evidentiary purposes, the vehicle can be held for as long as the evidentiary or law enforcement purpose exists. The vehicle must then be returned to the owner without delay unless directed otherwise by competent authority.

(2) If the vehicle is unclaimed after 45 days from the date notification was mailed to the last known owner or the owner released the vehicle by properly completing DD Form 2505, the vehicle will be disposed of by one of the following procedures:

(i) Release to the lienholder, if known.

(ii) Processed as abandoned property in accordance with DOD 4160.21-M.

#### APPENDIX A TO PART 636—REFERENCES

Publications and forms referenced in this part may be viewed at the Office of the Provost Marshall on any major Army installation or may be obtained from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161.

In addition to the related publications listed in appendix A to part 634 of this subchapter, the following publications provide a source of additional information:

FS Reg 190-7, Emergency Vehicle Operation  
FS Reg 350-1, Active Component Training  
FS Reg 385-14, Post Range Regulation  
FS Reg 755-2, Lost, Abandoned, or Unclaimed Privately Owned Personal Property

In addition to the prescribed forms used in appendix A to part 634 of this subchapter, the following forms should be used:

AFZP Form Letter 316, Suspension of Driving Privileges  
DA Form 3946, Military Police Traffic Accident Report  
DA Form 3975, Military Police Report  
DD Form 1920, Alcohol Influence Report  
DD Form 2220, DOD Registered Vehicle  
DD Form 2504, Abandoned Vehicle Notice  
DD Form 2505, Abandoned Vehicle Removal Authorization  
DD Form 2506, Vehicle Impoundment Report  
DD Form 2507, Notice of Vehicle Impoundment

#### Other References

8 U.S.C. 13.  
40 U.S.C. 318a.

Memorandum of Understanding, Subject: Seizure of Assets for Administrative Forfeiture in Drug Related Cases.

#### APPENDICES B—C TO PART 636 [RESERVED]

#### APPENDIX D TO PART 636—GLOSSARY

In addition to the terms listed in appendix D to part 634 of this subchapter, the following terms apply:

ATV—All Terrain Vehicles  
CID—Criminal Investigation Division  
CUCV—Commercial Utility Cargo Vehicle  
DDC—Defensive Driving Course  
DOD—Department of Defense  
DPCA—Directorate of Personnel and Community Activities  
DUI—Driving Under the Influence  
DDC—Motorcycle Defensive Driving Course  
MP—Military Police  
NLT—Not later than  
USAREUR—United States Army—Europe

## SUBCHAPTER J—REAL PROPERTY

## PARTS 641—642 [RESERVED]

## PART 643—REAL ESTATE

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